

### **IC 13-23-3**

#### **Chapter 3. Certification of Underground Storage Tank Workers**

### **IC 13-23-3-1**

#### **Establishment of certification program by state fire marshal**

Sec. 1. (a) The state fire marshal shall, under rules adopted by the fire prevention and building safety commission under IC 4-22-2, establish a certification program for persons who supervise, manage, or direct underground storage tank:

- (1) installation or retrofitting;
- (2) testing;
- (3) cathodic protection procedures; or
- (4) decommissioning.

(b) A person may be certified by the state fire marshal if the person submits evidence to the state fire marshal that the person has successfully completed:

- (1) the International Fire Code Institute examination; or
- (2) another appropriate examination approved by the state fire marshal.

(c) The state fire marshal may create a supplemental educational library concerning proper installation and closure of underground storage tanks, which includes the American Petroleum Institute's series, "An Education and Certification Program for Underground Storage Tank Professionals."

*As added by P.L.1-1996, SEC.13. Amended by P.L.67-1996, SEC.4.*

### **IC 13-23-3-2**

#### **Examination; rules; reciprocity**

Sec. 2. (a) To obtain a certificate under section 1 of this chapter, a person must:

- (1) take an examination that is approved;
- (2) achieve a passing score on the examination that is established; and
- (3) pay any reasonable fees necessary to offset the costs incurred by the state fire marshal in administering the examination and certification procedures that are established; under rules adopted by the fire prevention and building safety commission.

(b) An examination described under subsection (a) must cover the following subjects:

- (1) Relevant rules adopted by the:
  - (A) board; and
  - (B) fire prevention and building safety commission; concerning underground storage tanks.
- (2) Any other subjects approved under rules adopted by the fire prevention and building safety commission.

(c) The fire prevention and building safety commission shall adopt rules establishing the following:

- (1) The number of times a person who fails an examination described under this section may take the examination again.

(2) The period of time a person who fails an examination described under this section must wait before taking the examination again.

(d) The state fire marshal may, under rules adopted by the fire prevention and building safety commission, certify a person:

(1) under section 1 of this chapter; and

(2) by reciprocity;

if the person is licensed or certified by another state that has certification requirements that are substantially similar to the requirements established under this section.

*As added by P.L.1-1996, SEC.13.*

### **IC 13-23-3-3**

#### **Certification required for installation, testing, retrofitting, removing, or closing storage tanks; denial or revocation**

Sec. 3. (a) A person described under section 1 of this chapter may not:

(1) install or retrofit;

(2) test;

(3) provide cathodic protection for; or

(4) decommission;

an underground storage tank unless the person has been certified by the state fire marshal.

(b) The state fire marshal may temporarily deny or revoke the certification of a person made under subsection (a) if the person has negligently violated a standard established by the board or the fire prevention and building safety commission concerning the:

(1) installation or retrofitting;

(2) testing;

(3) cathodic protection; or

(4) decommissioning;

of an underground storage tank.

(c) If a person:

(1) has been denied certification; or

(2) had the person's certification revoked under subsection (b) or IC 13-7-20-13.3(b) (before its repeal);

the state fire marshal may certify the person only if the person files a performance bond with the state fire marshal in an amount established by the fire prevention and building safety commission.

(d) If a person who is certified or attempts to become certified under subsection (c) intentionally or negligently violates a standard established by the board or the fire prevention and building safety commission concerning the installation or retrofitting of, testing of, provision of cathodic protection for, or decommissioning of an underground storage tank, the state fire marshal may:

(1) permanently deny the certification of the person; or

(2) permanently revoke the certification of the person.

*As added by P.L.1-1996, SEC.13. Amended by P.L.67-1996, SEC.5.*

### **IC 13-23-3-4**

**Expiration; rules**

Sec. 4. (a) A certificate issued under section 1 of this chapter expires two (2) years from the date a person successfully completes the examination to qualify to obtain the certificate.

(b) The fire prevention and building safety commission may adopt rules establishing renewal procedures for certificates that expire under subsection (a).

*As added by P.L.1-1996, SEC.13. Amended by P.L.67-1996, SEC.6.*